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OCT 02 2000

PETITIONS OFFICE

To: Office of Petitions
United States Patent and Trademark Office

Facsimile: (703) 308-6916

From: Karen R. Zachow

Date: October 2, 2000

We are transmitting a total of 23 pages (including this page).
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Comments: Please see attached Status Inquiry and supporting documents to our Request for Reconsideration of Petition Under 37 CFR 1.10 which we mailed to the USPTO on November 16, 1999 regarding USSN 09/289,576 (our docket no.: 311772000600). We are also enclosing an Associate Power of Attorney for filing purposes.

PATENT
Docket No. 311772000600

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on October 2, 2000.

Kimberly Benjamin
Kimberly Benjamin

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Richard C. ALLEN and Michael
CORNFELDT

Serial No.: 09/289,576

Filing Date: April 9, 1999

For: METHODS OF TREATING
SCHIZOPHRENIA

Examiner: Unassigned

Group Art Unit: 1614

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PATENT OFFICE

TRANSMITTAL

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed please find the following:

1. Status Request - 2 pages
2. Copy of Request for Reconsideration of Petition Under 37 CFR 1.10 and support documentation - 16 pages
3. Associate Power of Attorney - 2 pages

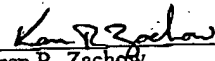
pa-525270

The Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this transmittal, or to credit any overpayment, to Deposit Account No. 03-1952.

Respectfully submitted,

Dated: September 29, 2000

By:


Karen R. Zachow
Registration No. 46,332

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5895
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PATENT
Docket No. 311772000600

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, on October 2, 2000.


Kimberly A. BenjaminIN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Richard C. ALLEN and Michael
CORNFELDT

Serial No.: 09/289,576

Filing Date: April 9, 1999

For: METHODS OF TREATING
SCHIZOPHRENIA

Examiner: Unassigned

Group Art Unit: 1614

FAX RECEIVED

OCT 02 2000

PATENT OFFICE

STATUS REQUEST

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

A Request for Reconsideration of Petition Under 37 CFR 1.10 was mailed on November 16, 2000. To date no action from the Patent Office has been received in connection with this petition. Copies of the Request and supporting documentation is enclosed for your convenience. Applicant respectfully requests a report as to the status of this application.

No fee is deemed necessary in connection with the filing of this Status Request. However, if any fee is required, authorization is given to charge the amount of this fee to Deposit Account No. 03-1952 (Ref. No. 311772000600).

Dated: October 2, 2000

Respectfully submitted,

By: Karen R. Zechow
Registration No. 46,332Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5895
Facsimile: (650) 494-0792

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OCT 02 2000

ATTORNEY DOCKET: 311772000600

DATE: November 16, 1999

SERIAL NO. 09/289,576

FILING DATE: April 9, 1999

INVENTORS: ALLEN, et al.

NSB2/mat7

TITLE: METHODS OF TREATING SCHIZOPHRENIA

Papers enclosed:

1. REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.10-2 PAGES
2. ATTACHMENT 1 - COVER PLUS 11 PAGES
3. ATTACHMENT 2 - COVER PLUS 1 PAGE

RECEIVED BY THE UNITED STATES PATENT AND TRADEMARK OFFICE



pa-430218

PATENT
Docket N . 311772000600

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on November 16, 1999.

Peg Turiano
Peg Turiano

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

ALLEN et al.

Serial No.: 09/289,576

Filing Date: April 9, 1999

For: METHODS OF TREATING
SCHIZOPHRENIA

Examiner: Unknown

Group Art Unit: 1614

RECEIVED

OCT 02 2000

METHODS OFFICE

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.10

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to a PTO document entitled "Application Filing Date" dated September 24, 1999, denying a Petition for a Corrected Filing Date under 37 CFR 1.10. The "Application Filing Date" document noted that the "there is no evidence from the USPS that an error has occurred." Applicant requests reconsideration of the earlier filed Petition.

With the Petition for a Corrected Filing Date (copy with attachments attached as Attachment 1), Applicants attached a copy of a USPS document signed by an employee of the USPS evidencing the specific date -- April 9, 1999 -- that the Express mail package was taken

into his possession. Included in Attachment 1 is a copy of the later received Express Mail Receipt showing an April 10, 1999, receipt date. Also included as Attachment 2 is a second photocopy of the USPS document more clearly showing the April 9, 1999 pickup date.

It is our understanding that the USPS employee who picked up the package on April 9, 1999, took it to his home Post Office and that that Post Office sent it, in turn, to a second Post Office site where it was processed the next day, April 10, 1999.

The fact that the USPS placed two different dates on two different documents is evidence that the USPS committed the error. Please reconsider the earlier Petition.

The Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this transmittal, or to credit any overpayment, to Deposit Account No. 03-1952, referencing docket no. 311772000600.

Respectfully submitted,

Dated: November 16, 1999

By: 

Nicholas Buffinger
Registration No. 39,124

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5816
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PATENT
Docket No. 311772000600

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231, on August 24, 1999.

Kathy Johnston
Kathy Johnston

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

ALLEN et al.

Serial No.: 09/289,576

Filing Date: April 9, 1999

For: METHODS OF TREATING
SCHIZOPHRENIA

Examiner: Unknown

Group Art Unit: 1614

FAX RECEIVED

OCT 02 2000

PATENT OFFICE

TRANSMITTAL

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Enclosed please find the following:

- Petition For A Corrected Filing Date Under 37 C.F.R. 1.10 (d)
- Corrected Filing Receipt bearing the filing date of April 10, 1999
- Copy of Transmittal with Certificate of Mailing by Express Mail bearing the date of April 9, 1999
- Copy of Express Mail Certificate No. EM056845428US bearing date of April 10, 1999
- Copy of Return Receipt Postcard bearing the mail date of April 9, 1999
- Copy of Ledger Sheet dated April 9, 1999

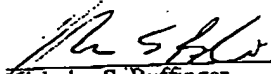
pa-405612

- Copy of USPS Pickup Service Statement bearing the pickup date of April 9, 1999
- Return Receipt Postcard

The Assistant Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17, and 1.21 that may be required by this transmittal, or to credit any overpayment, to Deposit Account No. 03-1952.

Respectfully submitted,

Dated: August 26, 1999

By: 
Nicholas S. Buffinger
Registration No. 39,124

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5816
Facsimile: (650) 494-0792

Please type a plus sign (+) inside this box → ☒

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

 PTO/SB/05 (12/97) (modified)
 Approved for use through 09/30/00. OMB 0551-0032
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Attorney Docket No. 398802000600 Total Pages 34

First Named Inventor or Application Identifier

 METHODS OF TREATING SCHIZOPHRENIA
 By: Richard C. Allen and Michael Cornfeldt

Express Mail Label No. EM056845428US

OCT 02 2000

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EM056845428US

Date of Deposit: April 9, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Kathy Johnston

COPY

APPLICATION ELEMENTS <small>See MPEP chapter 600 concerning utility patent application contents.</small>	ADDRESS TO: <small>Assistant Commissioner for Patents Box Patent Application Washington, DC 20231</small>
1. <input checked="" type="checkbox"/> Fee Transmittal Form <small>(Submit an original, and a duplicate for fee processing)</small> 2. <input checked="" type="checkbox"/> Specification <small>(preferred arrangement set forth below)</small> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Reference to Microfiche Appendix - Background of the invention - Brief Summary of the invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 3. <input type="checkbox"/> Drawing(s) (35 USC 113) <small>[Total Sheets <input type="checkbox"/></small> 4. <input type="checkbox"/> Oath or Declaration <small>[Total Pages <input type="checkbox"/></small> a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <small>(for continuation/divisional with Box 17 completed)</small> <small>[Note Box 5 below]</small> c. <input type="checkbox"/> DELETION OF INVENTOR(S) <small>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b)</small> 5. <input checked="" type="checkbox"/> Incorporation By Reference (useable if Box 4b is checked) <small>The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</small>	6. <input type="checkbox"/> Microfiche Computer Program (Appendix) 7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <small>(if applicable, all necessary)</small> a. <input type="checkbox"/> Computer Readable Copy b. <input type="checkbox"/> Paper Copy (identical to computer copy) c. <input type="checkbox"/> Statement verifying identity of above copies
<h3>ACCOMPANYING APPLICATION PARTS</h3> 8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small> 10. <input type="checkbox"/> English Translation Document (if applicable) 11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 12. <input type="checkbox"/> Preliminary Amendment 13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <small>(Should be specifically itemized)</small> 14. <input type="checkbox"/> Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, Status still proper and desired 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small> 16. <input type="checkbox"/>	
17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No.:	
<h3>18. CORRESPONDENCE ADDRESS</h3> Nicholas S. Buffinger Registration No. 39,124 Morrison & Foerster LLP 755 Page Mill Road Palo Alto, California 94304-1018 Telephone: (650) 813-6816 Facsimile: (650) 494-0792	

367624

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Attorney Dkt: 398802000600
Applications: Richard C. Allen and Michael Cornfeldt
Serial No. Applied for
Filing Date: April 9, 1999
Title: METHODS OF TREATING SCHIZOPHRENIA

Date: 4/9/99
NSB/ksj

EXPRESS MAIL EM056845428US

Papers: 1. Transmittal Letter (2 pages)
2. Specification (32 pages)
3. This Return Receipt Postcard

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DOCKETED *YHS*

Attorney Dkt: 398802000600
Applications: Richard C. Allen and Michael Cornfeldt
Serial No. Applied for
Filing Date: April 9, 1999
Title: METHODS OF TREATING SCHIZOPHRENIA

Date: 4/9/99
NSB/ksj

EXPRESS MAIL EM056845428US

Papers: 1. Transmittal Letter (2 pages)
2. Specification (32 pages)
3. This Return Receipt Postcard

jc530 U.S. PTO
09/289576
04/10/99

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APR 03 1999

MORRISON & MAYER LLP

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OCT 02 2000

FEDERAL OFFICE

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PA 4489 29900-20484.00
09/289,575

IR 4489 39880-20006.00
09/289,576

IR 4489 22500-20304.00
09/289,578

PA 4489 31141-20011.00

PA 4489 31141-20011.00

PA 4489 25169-20047.00

PA 4489 15979-20021.00

PA 4489 37647-20002.00

PA 4489 22005-20045.02

PA 4489 35353-20009.00

FRN 37361-20013.40

368 Spec. (83), Claims (9), Abstract (1),
Dwgs. (12), ck. for \$ 486.00; Conf.
Copy of Priority Docs.; Trans. under
Rule 1.53 (b); Assign.; Signed
Decl.; Exp. mail # ELOS3908693US

337 Trans. Hr. (2), Spec. (32); Exp. Mail #
ELOS368454281US

337 Trans. Hr. (2), Spec. (42), Dwgs. (14);
Exp. mail # ELOS36845414 US

Amend. Trans. (2); Amend. under
CFR 1.116 (4); Copy of Submn. of
formal Dwgs. w/ 2 chks. of Dwgs. (4)

401 Submn. of formal Dwgs. (2); (2) chks.
of formal Dwgs.

IDS (3), Form PTO 1449 (1); Ref. (13)

Amend. Trans. (2); Amend. & Resp.
to OA (2); Pending Claims (5)

Copy of Not. To Comply w/ Req. for
Pub. Appl. Combining Seq. Disorders (1)

Seq. List (3); Disk (1)

345 Trans. (2); Second Reg. for Corrected
F.R. (2); Copy of marked up F.R. (1)

Copy of Stamped P.O. (1)

IDS (3), PTO 1449 (2)

Trans. Suppl. IDS (3), PTO 1449 (1)

Ref. (20)

Filed Amendment; Resp. to Int'l Secu.

Report. (Repl. pages 26 & 29)

DRG